

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE
STATE OF HAWAII

In the Matter of

PUBLIC UTILITIES COMMISSION

Instituting a Proceeding to Investigate the
Implementation Of Feed-in Tariffs.

DOCKET NO. 2008-0273

PUBLIC UTILITIES
COMMISSION

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**BLUE PLANET FOUNDATION'S INFORMATION REQUESTS TO
HAWAIIAN ELECTRIC COMPANY, INC., MAUI ELECTRIC
COMPANY, LIMITED, HAWAII ELECTRIC LIGHT COMPANY, INC.
AND THE DIVISION OF CONSUMER ADVOCACY, STATE OF HAWAII
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

AND

CERTIFICATE OF SERVICE

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DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

Blue Planet Foundation ("Blue Planet"), by and through its attorneys Schlack Ito Lockwood Piper & Elkind, hereby submits its Information Requests ("BP-IRs") to the Hawaiian Electric Company, Inc., Maui Electric Company, Limited, Hawaii Electric Light Company, Inc. ("HECO Companies"), and the Division of Consumer Advocacy, State of Hawaii Department of Commerce and Consumer Affairs ("Consumer Advocate").

DEFINITIONS

"Energy Agreement" means the "Energy Agreement Among the State of Hawaii, Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs, and the Hawaiian Electric Companies" dated October 20, 2008.

"HECO/CA Straw Tariff" means the proposed Schedule FIT Tariff and appendices served January 15, 2009.

"Joint Proposal" means the "Joint Proposal on Feed-in Tariffs of the HECO Companies and Consumer Advocate" served December 23, 2008.

“You” and “Your” mean the HECO Companies and/or Consumer Advocate.

INFORMATION REQUESTS

BP-IR-1

As set forth in the Energy Agreement, the HECO Companies and Consumer Advocate:

- State that they believe “[t]he future of Hawaii requires that we move more decisively and irreversibly away from imported fossil fuel for electricity and transportation and towards indigenously produced renewable energy and an ethic of energy efficiency. *Id.* (emphasis added).
- State that “[t]he very future of our land, our economy and our quality of life is at risk if we do not make this move and we do so for the future of Hawaii and of the generations to come.” *Id.* (emphasis added).
- Commit to “a system of utility regulation that will transform our major utility from a traditional sales-based company to an energy services provider that . . . moves us to an energy independent future.” *Id.* (emphasis added).
- Commit to integrate “the maximum attainable amount of wind energy on their systems.” *Id.* at 3 (emphasis added).
- Agree that the HECO Companies “are responsible for expeditiously integrating customer-sited PV and CSP energy into the utility system[.]” *Id.* at 12 (emphasis added).
- Agree to “implement feed-in tariffs as a method for accelerating the acquisition of renewable energy[.]” *Id.* at 17 (emphasis added).
- Commit to the goal of “70 percent clean, renewable energy for electricity and transportation by 2030[.]” *Id.* at 18 (emphasis added).
- Commit to “accelerate the adoption of” distributed generation and distributed energy storage. *Id.* at 27 (emphasis added).

a. Please identify the criteria, factors, and/or metrics You have employed, employ, or intend to employ, to measure, evaluate and/or determine the degree

to which the Joint Proposal and HECO/CA Straw Tariff will or will not achieve the above-referenced Energy Agreement objectives ("Energy Agreement Objectives").

b. Please provide all documents and information related to Your measurement, evaluation, and/or determination of the degree to which the Joint Proposal and HECO/CA Straw Tariff will or will not achieve the Energy Agreement Objectives.

BP-IR-2

The Joint Proposal proposes an interim design followed by regular updates ("Interim FIT"). Joint Proposal at 8-11.

Please provide all documents and information related to Your measurement, evaluation, and/or determination of the degree to which the Interim FIT will or will not achieve the Energy Agreement Objectives.

BP-IR-3

The Joint Proposal proposes the following initial project sizes ("Initial Project Sizes"):

"a. PV systems up to and including 500 kW in size on Oahu, PV systems up to and including 250 kW on Maui and Hawaii Island, and PV systems up to and including 100 kW in size on Lanai and Molokai.

b. CSP systems up to and including 500 kW in size on Oahu, Maui, and Hawaii Island, and up to and including 100 kW on Lanai and Molokai.

c. In-line hydropower systems up to and including 100 kW in size on Oahu, Maui, Lanai, Molokai, and Hawaii Island.

d. Wind power systems up to and including 100 kW in size on Oahu, Maui, Lanai, Molokai, and Hawaii Island."

Joint Proposal at 9-10 (footnotes omitted) (emphasis added).

Please provide all documents and information related to Your measurement, evaluation, and/or determination of the degree to which the Initial Project Sizes will or will not achieve the Energy Agreement Objectives.

BP-IR-4

The Joint Proposal proposes that upon adoption of a feed-in tariff no new applications for net energy metering will be accepted and expansion of net energy metering system capacity will not be allowed ("NEM Termination"). Joint Proposal at 15.

Please provide all documents and information related to Your measurement, evaluation, and/or determination of the degree to which the NEM Termination will or will not achieve the Energy Agreement Objectives.

BP-IR-5

The Joint Proposal proposes that upon adoption of a feed-in tariff the Competitive Bidding Framework¹ will remain in place. Joint Proposal at 15.

Please provide all documents and information related to Your measurement, evaluation, and/or determination of the degree to which the Competitive Bidding Framework remaining in place will or will not achieve the Energy Agreement Objectives.

BP-IR-6

HREA-HECO/CA-IR-3 proposes modifying the Competitive Bidding Framework to exempt projects of up to 20 MW in size. Your response filed February 11, 2009 to HREA-HECO/CA-IR-3 objects to that information request as being outside the scope of issues in the Feed-in Tariff Docket and states that the HECO Companies support

¹ See Docket No. 03-0372, Decision and Order No. 23121 (Dec. 11, 2006).

the existing thresholds. The Statement of Issues set forth in the Procedural Order² asks “what role do other methodologies for the utility to acquire renewable energy play . . . including . . . competitive bidding[.]” Procedural Order at 8.

Please provide all documents and information related to Your measurement, evaluation, and/or determination of the degree to which modifying the Competitive Bidding Framework to exempt projects up to 20 MW in size will or will not achieve the Energy Agreement Objectives.

BP-IR-7

The HECO/CA Straw Tariff, Appendix I, “Schedule FIT Agreement” states that the Schedule FIT Agreement “shall not be construed to constitute a ‘take or pay’ contract[.]” *Id.* at 1 (“Take or Pay Provision”).

Please provide all documents and information related to Your measurement, evaluation, and/or determination of the degree to which the proposed Take or Pay Provision will or will not achieve the Energy Agreement Objectives.

DATED: Honolulu, Hawaii, March 4, 2009.



DOUGLAS A. CODIGA
Attorney for Blue Planet Foundation

² “Order Approving the HECO Companies’ Proposed Procedural Order, As Modified” issued by the State of Hawaii Public Utilities Commission on January 20, 2009.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date a copy of the foregoing document was
duly served upon the following individuals by placing a copy of same in the United States Mail,
postage prepaid, and/or by electronic mail, as follows:

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